

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CLINTON DUNN,

Petitioner,

v.

**TAMMY FERGUSON, Superintendent
SCI-Benner Twp,**

Respondents.

CIVIL ACTION

NO. 17-4016

ORDER

AND NOW, this 22nd day of May, 2019, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Clinton Dunn, the record in this case, the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated November 21, 2018, no objections having been filed,¹ **IT IS ORDERED** as follows:

1. Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey dated November 21, 2018, is **APPROVED** and **ADOPTED**;

2. Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Clinton Dunn, is **DISMISSED AS UNTIMELY**; and

3. A certificate of appealability will not issue because reasonable jurists would not debate the propriety of this Court's procedural ruling with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.

¹ The Court granted *pro se* petitioner's requests for extension of time to file objections on two occasions, first to January 28, 2019, and second to April 15, 2019. No objections were filed.